

4. Cargill Defendants' response to the State's Motion for Sanctions is currently due on August 31, 2009.

5. Counsel for Cargill Defendants have been advised by the Court Reporter that, although the transcripts of the hearings held August 13th and 14th will probably be ready later this week, the transcript of the hearing held August 18th will likely not be ready before the end of the week beginning August 31, 2009.

6. The Cargill Defendants have not filed any previous motions for an extension of time relating to the State's Motion for Sanctions.

7. The Cargill Defendants have contacted Plaintiff's counsel and are authorized to represent to the Court that Plaintiff does not oppose the Cargill Defendants' request for an extension of time of seven (7) days after Cargill Defendants have received all of the transcripts of the hearings held August 13, 14, and 18, 2009.

8. Granting the Cargill Defendants' request for an extension of time will not have any effect on the scheduled trial or any other pending deadlines.

9. Good cause exists to grant the requested extension of time in order to allow the Cargill Defendants access to the transcripts of the Court's hearings held August 13, 14, and 18, 2009.

Dated: August 25, 2009

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By: /s/ John H. Tucker

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CERTIFICATE OF SERVICE

I certify that on the 25th day of August, 2009, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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I also hereby certify that I served the attached documents by United States Postal Service, proper postage paid, on the following who is not a registered participant in the ECF System:

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